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6 UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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9 RICHARD A. EVANS,

10 Plaintiff,

11 v.

12 R. MILAM, *et al.*,

13 Defendants.  
14  
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Case No. 1:20-cv-00070-AWI-JDP

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE, FAILURE TO  
STATE A CLAIM, AND FAILURE TO  
COMPLY WITH A COURT ORDER

FORTY-FIVE DAY DEADLINE

16 Plaintiff Richard Evans is a state prisoner proceeding without counsel in this civil rights  
17 action brought under 42 U.S.C. § 1983. Plaintiff's complaint was screened on April 6, 2020,  
18 and plaintiff was ordered to file a first amended complaint within sixty days. *See* ECF No. 15.  
19 However, while plaintiff has filed numerous assorted materials, *see* ECF Nos. 16-25, he is yet  
20 to file a first amended complaint.

21 To manage our docket effectively, we impose deadlines and require litigants to meet  
22 those deadlines. When a plaintiff fails to comply with court-imposed deadlines, the court may  
23 dismiss the plaintiff's case for failure to prosecute. *See* Fed. R. Civ. P. 41; *Hells Canyon Pres.*  
24 *Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) ("[T]he consensus among our  
25 sister circuits, with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at  
26 least under certain circumstances."). Involuntary dismissal is a harsh penalty, but the court has  
27 a duty to administer justice expeditiously and avoid needless burden for the parties. *See*  
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1 *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

2 We will give plaintiff the opportunity to explain why the court should not dismiss his  
3 case for failure to prosecute and failure to state a claim. The court observes that one of  
4 plaintiff's numerous "notices" mentions a need for more time, *see* ECF No. 21, but that notice  
5 appears to have been filed in numerous cases simultaneously and is concerned with needing  
6 more time for an appeal issue; it does not refer to the first amended complaint at issue here.

7 Plaintiff's failure to respond to this order will constitute another failure to comply with a  
8 court order and will result in dismissal of this case. Accordingly, plaintiff must show cause  
9 within forty-five days of the date of entry of this order why the court should not dismiss his  
10 case for failure to state a claim and failure to prosecute.

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12 IT IS SO ORDERED.

13 Dated: June 15, 2020

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UNITED STATES MAGISTRATE JUDGE

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16 No. 205.  
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